Calendar No. 71

98TH CONGRESS
1st Session

SENATE

REPORT
No. 98–41

FIRE PREVENTION AND CONTROL AUTHORIZATIONS

MARCH 31, 1983.—Ordered to be printed
Filed under authority of the order of the Senate of March 24 (legislative day, March 21), 1983

Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 809]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 809) to authorize appropriations for activities under the Federal Fire Prevention and Control Act of 1974, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF BILL

This legislation extends the authorization of the U.S. Fire Administration (USFA) and the National Fire Academy (NFA) in the Federal Emergency Management Agency (FEMA) for 2 years at the following levels: $14,720,000 for fiscal year 1984; and $15,500,000 for fiscal year 1985.

BACKGROUND AND NEEDS

In 1973 the National Fire Prevention and Control Commission issued its report, "America Burning". Subsequent to this report, the Federal Fire Prevention and Control Act of 1974 was enacted. This legislation created the USFA, the NFA and the Center for Fire Research in the National Bureau of Standards (NBS). In 1978, the USFA and NFA were placed under the aegis of the FEMA.

Fire is still a major cause of property damage, injury and death in the United States. Thus, while fire is considered to be primarily a State and local concern, the role of the Federal Government in the prevention and control of both residential and commercial fires remains an issue of significant national importance.

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The USA undertakes a variety of activities to reduce these fire losses. Recently, the USFA was reorganized to reflect the needs of the fire service community. Activities are now organized into four offices:

OFFICE OF FIRE POLICY AND COORDINATION

The Office of Fire Policy and Coordination will be responsible for oversight and management of the USFA. Among the new initiatives to be undertaken by this office are: improving the efficiency and accessibility of the fire data collection system; updating and expanding the program of public education through the "Fire Library" system in FEMA regional offices; documenting public-private sector partnerships that address fire prevention related problems; using these arrangements as models for expansion of the concept; and developing a new 5-year program plan for the USFA.

OFFICE OF FIREFIGHTER HEALTH AND SAFETY

Firefighting is one of the most dangerous professions in the United States. The Office of Firefighter Health and Safety focuses on research into, and the development and testing of, improved firefighting equipment and tools. The office is currently working on an improved type of protective suit and on a low-profile, long-duration breathing apparatus. The prototype of the new protective gear will be fieldtested and further refined in cooperation with the fire chiefs and with the firefighters. The USFA will continue to work with the U.S. Bureau of Mines and U.S. Divers Corporation on the breathing apparatus. It is anticipated that a prototype could be ceritfied by the National Institute for Occupational Safety and Health (NIOSH) for testing prior to 1984. The USFA will also continue its efforts to assist in technology and information transfer to State, local firefighters, and associated emergency personnel.

FIRE PREVENTION AND ARSON CONTROL

Arson is a growing problem in the United States. The USFA has a leadership role in coordinating Federal anti-arson programs and in supporting a variety of anti-arson activities of State, local fire service, and law enforcement agencies. The Federal Arson Task Force consisting of representatives of various Federal agencies and chaired by FEMA serves as a forum for information exchange through its regular meetings and seminars featuring experts in the field. In conjunction with the Task Force, FEMA plans to improve its computerized arson information system, explore teleconferencing as an information transfer technique and set up an Arson Resource Center at the National Emergency Training Center (NETC). Initiatives and ongoing projects in fire prevention include a multiyear residential sprinkler program, a planned survey on the use, effectiveness and efficiency of smoke detectors, and a review of the various State/local laws mandating use of smoke detector.

OFFICE OF FIRE DATA AND ANALYSIS

The accurate collection and analysis of a variety of different kinds of data on fires, such as causes, estimated losses, and cost of control, are very important to the overall effectiveness of USFA's programs. Working with FEMA's information resources management group, USFA will improve both the quality and accessibility of its National Fire Incident Reporting System. Efforts will concentrate on developing an improved standard collection form and on enhancing and expanding the feedback to State and local participants. USFA will continue its analysis of major or unusual fires, in partnership with the private sector, and will initiate two projects, long needed, and kerosene heaters and firefighter mortality.

THE NATIONAL FIRE ACADEMY

The NFA offers training to fire service personnel from across the country. Courses range from advanced concepts of fire department management to techniques of handling hazardouswaste to arson detection. The NFA also provides training to other professionals such as architects, code enforcers, city managers, and planners, who are interested in matters of fire safety. In addition to providing courses at the NFA's residential campus at Emmittsburg, Md., the NFA provides "outreach" courses to State and local fire departments. The outreach courses are aimed primarily at the volunteer firefighters who comprise the bulk of the Nation's firefighting force. One of the most effective approaches used by NFA is the "train-the-trainer" program. In this program, selected State and local fire service personnel are given intensive training at the Academy's residential campus. These "trainers" then return to their home fire departments with prepackaged and field-tested courses, for training of their colleagues.

COMMITTEE VIEWS AND RECOMMENDATIONS

The Committee generally concurs with the administration's total budget request and proposed level of effort in each program. However, the Committee continues to be concerned that FEMA should remain committed to the concept of a Federal focus on fire prevention and control as exemplified in the USFA. The Committee encourages FEMA to continue its recent and productive interaction with the Joint Council of National Fire Service Organizations so as to remain sensitive to the needs of the Nation's fire service community. The Committee also urges FEMA to identify and nominate as soon as possible a U.S. Fire Administrator to head the USFA. The Committee believes that nomination of an Administrator would improve the overall effectiveness of the USFA's programs.

The Committee believes that the fire data collection and analysis and public education activities of the USFA represent one of the most effective and efficient ways to reduce fire losses in the United States.

Therefore, the Committee encourages the USFA to continue to critically examine the budget allocation for its total program and to commit additional resources to the above activities if an examination warrants such an action.

Legislative History

The Subcommittee on Science, Technology, and Space held a hearing on the reauthorization of the Fire Prevention and Control Act on February 22, 1983. Representatives of the USFA, NFA, and various fire-service organizations testified at this hearing. The Committee considered and ordered S. 809 favorably reported on March 22, 1983.

Estimated Costs

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, D.C., March 24, 1983.

Hon. Bob Packwood,
Chairman, Committee on Commerce, Science and Transportation, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for S. 809, a bill to authorize appropriations for the Federal Fire Prevention and Control Act of 1974, and for other purposes.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

Alice M. Rivlin, *Director.*

Congressional Budget Office Cost Estimate

March 24, 1983.

1. Bill number: S. 809.
2. Bill title: A bill to authorize appropriations for the Federal Fire Prevention and Control Act of 1974, and for other purposes.
3. Bill status: As ordered reported by the Senate Committee on Commerce, Science, and Transportation, March 22, 1983.
4. Bill purpose: This bill extends the authorizations of the United States Fire Administration (USFA) and the National Fire Academy to include fiscal years 1984 and 1985.
5. Estimated cost to the Federal Government:

	Millions
Authorization level:	
Fiscal year:	
1984	$14.7
1985	15.5
1986	-----
1987	-----
1988	-----
Estimated outlays:	
Fiscal year:	
1984	6.5
1985	11.5
1986	7.5
1987	3.7
1988	1.0

The costs of this bill fall within budget function 450.

Basis of estimate: For the purposes of this estimate, it was assumed that all funds authorized are appropriated prior to the start of each fiscal year. For the purpose of estimating outlays, authorized funds were separated by purpose and spent at rates for similar activities within the Federal Emergency Management Agency.

6. Estimated cost to State and local governments: None.
7. Estimate comparison: None.
8. Previous CBO estimate: None.
9. Estimate prepared by: Linwood T. Lloyd.
10. Estimate approved by:

JAMES L. BLUM,
Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation:

The bill, S. 809, confers no new regulatory authority on the U.S. Fire Administration or the National Fire Academy. Thus, implementation of the Federal Fire Prevention and Control Act, as amended, will not increase Federal regulation or require additional paperwork.

SECTION-BY-SECTION ANALYSIS

The first section of the bill amends section 17 of the Federal Fire Prevention and Control Act of 1974 by inserting language at the end thereof which authorizes the appropriations for the programs of the USFA and the NFA, of $14,720,000 for fiscal year 1984, and $15,000,000 for fiscal year 1985. These funds are in addition to moneys authorized for the Center for Fire Research at the NBS under authorizing legislation for the programs of NBS.

CHANGES IN EXISTING LAW

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as re-

ported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italics, existing law in which no change is proposed is shown in roman) :

THE FEDERAL FIRE PREVENTION AND CONTROL ACT OF 1974

Section 17 of that Act

SEC. 17. (a)-(d) * * *

(e) Except as otherwise specifically provided with respect to the payment of claims under section 11 of this Act, there is authorized to be appropriated an amount not to exceed—

(1) $14,720,000 for the fiscal year ending September 30, 1984; and

(2) $15,500,000 for the fiscal year ending September 30, 1985. The funds authorized under this subsection shall be in addition to funds authorized in any other law for research and development at the Center for Fire Research of the National Bureau of Standards.

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98TH CONGRESS, 1st Session | SENATE | REPORT No. 98-42

EARTHQUAKE HAZARDS REDUCTION ACT OF 1977 AUTHORIZATION

MARCH 31, 1983.—Ordered to be printed

Filed under authority of the order of the Senate of MARCH 24 (legislative day, MARCH 21), 1983

Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 820]

The Committee on Commerce, Science, and Transportation, to which was referred the bill (S. 820) to amend section 7 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706) to extend authorizations for appropriations, and for other purposes, having considered the same, reports favorably thereon without amendment and recommends that the bill do pass.

PURPOSE OF BILL

The purpose of the bill is to authorize appropriations for fiscal year 1984, 1985 and 1986 to the Federal Emergency Management Agency (FEMA), the U.S. Geological Survey (USGS), the National Science Foundation (NSF), and the National Bureau of Standards (NBS) to carry out provisions of the Earthquake Hazards Reduction Act of 1977. The bill authorizes appropriations to FEMA of $3,705,000 for fiscal year 1984, $4,400,000 for 1985 and $5,200,000 for 1986; to USGS $29,524,000 for fiscal year 1984, $31 million for 1985 and $32,500,000 for 1986; to NSF $27,300,000 for fiscal year 1984, $29,800,000 for 1985, and $32,500,000 for 1986; and to NBS $475,000 for fiscal year 1984, $500,000 for 1985, and $530,000 for 1986.

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Problem

Each year more than 1,000 earthquakes are detected in the United States. Although most are quite small and cause little or not damage, the potential exists for catastrophic effects in urban areas, with heavy loss of life and many injuries and with billions of dollars in economic and property losses.

The United States has been relatively unscathed by earthquakes in recent years. With extensive population growth and settlement in numerous large cities located over seismically active zones, it appears only a matter of time before this Nation experiences another major event and quite possibly a catastrophic one.

In 1981 the USGS issued a report which stated:

> If a (severe) earthquake should occur today on the Newport-Inglewood fault near Los Angeles, it would probably cause losses of about $45 billion to buildings and as many as 23,000 deaths. . . . A repeat of the 1811–12 New Madrid, Mo. earthquake has been estimated to cause (roughly) comparable losses. (Footnote: Hays, W. W., ed., 1981 Facing Geologic and Hydrologic Hazards: Earth-Science Considerations. U.S. Geological Survey Professional Paper 1240–B, p. B12)

The popular conception that earthquakes in the United States occur predominantly in California is not accurate. Major earthquakes in the United States have occurred in all regions and there are 39 States subject to major or moderate seismic risk.

According to a recent unpublished estimate from USGS, a large earthquake in the Puget Sound area (an area which has experienced severe earthquakes in the past) could cause property losses of up to $200–300 million, inflict as many as 10,000 casualties, and leave 20,000 people homeless.

Background and Needs

In 1977 the Congress, recognizing the problems posed by earthquakes, enacted the Earthquake Hazards Reduction Act of 1977 to reduce the risks to life and property from future earthquakes. The emphasis of the act is on prevention and preparedness as distinct from disaster relief. To achieve this, the act specifies several objectives: (1) development of an earthquake prediction capability along with an understanding of the economic, legal, political and social implications of such a capability; (2) preparation of model codes for construction and landuse decisions; (3) employment of modern design and construction methods to make new and existing structures earthquake resistant; (4) education of the public and decisionmakers concerning measures that could be taken to reduce hazards from future earthquakes; and (5) a basic and applied research program to advance the science and engineering aspects of earthquake mitigation.

The act established the National Earthquake Hazards Reduction Program (NEHRP), a multiagency effort to meet the congressional mandated objectives. The agencies involved are FEMA, USGA, NSF, and NBS. The roles and responsibilities of these agencies are described in the following section.

Agency Responsibilities

FEMA has primary responsibility to plan and coordinate the NEHRP; assist States and local governments with earthquake mitigation and preparedness planning; coordinate Federal activities in response to a declared earthquake disaster or emergency; and develop improved seismic construction codes, standards and practices for the Federal Government, for States and local governments, and for various elements of the private sector.

USGS conducts and sponsors research on (1) the nature of earthquakes, including the physical processes controlling ground shaking, ground failure, surface faulting, and tectonic deformation; (2) earthquake prediction; and (3) induced seismicity. In addition, USGS delineates and evaluates geologic hazards; prepares seismic risk maps; evaluates earthquake predictions; provides data on earthquakes and related occurrences to all interested parties; and sponsors a program of outreach to Federal, State, and local governments and many elements in the private sector.

NSF sponsors basic and applied research on earthquake processes and phenomena in its geophysics program and on earthquake engineering and socioeconomic implications of earthquakes in its civil and environmental engineering program. NSF's societal response program supports research on the responses of individuals, organizations, and communities to earthquakes and related hazards.

NBS contributes research on performance criteria and supporting measurement technology for earthquake-resistant construction. It also provides technical assistance to other Federal organizations in the development of design and construction provisions to reduce earthquake hazards in new and existing buildings.

Funding

The funding history by agency along with the fiscal year 1984 request is provided in table 1. Table 2 provides the breakdown of the fiscal year 1984 budget request by agency.

TABLE 1.—COMPARISON OF AGENCY EARTHQUAKE HAZARDS REDUCTION EXPENDITURES FOR FISCAL YEARS 1978 THROUGH 1983 WITH FISCAL YEAR 1984 ADMINISTRATION REQUEST

[In millions of dollars]

Agency	1978	1979	1980	1981	1982	1983	1984	Request percent change
FEMA			1.2	1.5	1.1	3.1	3.7	+19
USGS	28.2	31.4	32.0	32.3	32.7	35.5	29.5	−17
NSF	23.0	22.9	24.8	25.1	25.2	25.0	27.3	+9
NBS		0.4	0.4	0.4	.475	.475	0	−100
Total	51.2	54.7	58.4	59.3	59.475	64.075	60.5	−6

TABLE 2.—BREAKDOWN OF FISCAL YEAR 1984 BUDGET REQUEST BY ACTIVITY AND AGENCY

[In millions of dollars]

	FEMA	USGS	NSF	NBS	Total
Earthquake strong motion program		1.2			1.2
Fundamental studies and data management		3.6	8.4		12.0
Hazard warning		.1			.1
Prediction		13.7			13.7
Induced seismicity		1.2			1.2
Hazard assessment		9.7			9.7
Engineering			16.6		16.6
Research for utilization			2.3		2.3
Preparedness and applications act	3.7				3.7
Total	3.7	29 5	27.3	0	60.5

Committee Views

The Committee has reported a bill to authorize funds for NEHRP for fiscal years 1984–86. The exact amounts for each agency are presented in Table 3.

TABLE 3.—AUTHORIZATION FOR FISCAL YEARS 1984–86 BY AGENCY

[In millions of dollars]

Agency	1984	1985	1986
FEMA	3.705	4.4	5.2
USGS	29.524	31.0	32.5
NSF	27.3	29.8	32.5
NBS	0.475	0.5	0.53
Total	61.004	65.7	70.73

The Committee agrees with the level of funding for fiscal year 1984 for FEMA, USGS and NSF. The Committee rejects the recommendation of the administration to eliminate the earthquake mitigation activities at the NBS. The Committee believes that NBS provides valuable technical assistance to FEMA and contributes to increasing utilization of Federally-supported earthquake-related research. Thus the Committee has authorized NBS for fiscal year 1984 at the current fiscal year 1983 level and has authorized funding for fiscal years 1985 and 1986 providing for a 5 percent per year increase for inflation.

The Committee agrees with the administration's request to provide a 3 year authorization. The Committee rejects the administration's request to authorize "such sums as may be necessary to carry out the purposes of the act" for fiscal years 1985 and 1986.

The Committee provides authorizations for FEMA for fiscal years 1985 and 1986 at the same rate of increase (19 percent) from fiscal year 1983 to fiscal year 1984. Similarly, the Committee provides for a 9 percent increase in the authorization for NSF programs.

The Committee accepts the recommendation of funding of the administration on the USGS for fiscal year 1984. The Committee has provided for a 5 percent increase in authorization for fiscal years 1985 and 1986.

The Committee believes that substantial progress has been made in the last year in developing a coordinated federal earthquake hazards mitigation program as called for in the Earthquake Hazards Reduction Act of 1977.

The Committee is especially pleased to note:

The stronger commitment of FEMA to its lead agency role;

The establishment of an Earthquake Policy Group consisting of the senior officials charged with administering the respective agencies' earthquake programs and the number of meetings held by this group in 1982.

The extensive involvement and lattitude granted to an advisory committee of nonFederal experts to assist FEMA and the other Federal agencies in developing a 5-year plan.

In light of this progress, the Committee has decided that annual reauthorizations by Congress are no longer required. Thus, the Committee has approved a 3-year authorization of the Earthquake Hazards Reduction Act of 1977.

The Committee still has concerns about the program and expects periodic reports from the agencies, especially with regard to the following:

1. FIVE-YEAR PLAN AND ANNUAL UPDATES

The 5-year plan still has not been submitted even though it was required by September 30, 1981. When will the report be submitted? Will the plan present a coordinated Federal approach to meet all of the requirements of the act of 1977 or will it instead be a summary of individual agency plans, possibly with serious gaps? Will the plan be updated and submitted to Congress every year as required by legislation?

2. ROLE OF FEMA IN ASSURING THAT GAPS DO NOT EXIST IN THE 5-YEAR PLAN AND THE ROLE OF FEMA IN RESOLVING CONFLICTS AMONG AGENCIES IN FULFILLING THE PLAN

The Committee anticipates situations where gaps or severe inadequacies in the Federal efforts are identified (possibly R&D utilization) and where FEMA does not have the resources to fill the gaps and the other agencies do not want to reallocate resources to fill these gaps. Will FEMA be able to exert sufficient influence with the other agencies or with the Executive Office of the President to ameliorate the problem areas?

3. ROLE OF THE EARTHQUAKE POLICY GROUP

The Committee believes the Group can be effective only if it meets often, if the principals attend and if a meaningful work agenda is developed for the Group. The Committee expects to be kept informed on the activities of the Group.

4. PROGRESS AT THE STATE AND LOCAL LEVEL IN EARTHQUAKE HAZARDS MITIGATION

The Federal Government can only encourage and assist these governments and other organizations to prepare aggressively for earthquake damages. The Federal Government does not now have

the authority to assure that State and local programs and plans are adequate to meet earthquake emergencies.

However, it is difficult for the Committee to determine progress actually being made at the State and local levels. The Committee expects the annual report to contain a section on the status of earthquake mitigation and response planning at the State and local levels. The section should contain not only a summary of Federal efforts to assist these areas, but, also objective measures of accomplishment and unmet or unfilled goals.

5. PROGRAM PLAN FOR A PROTOTYPE PREDICTION SYSTEM

In its report 97-336 for the authorization of the act for fiscal year 1983, the Committee requested that the 1982 report to Congress contain a detailed program plan for a prototype prediction system. FEMA noted in its 1982 report that the USGS would provide the information. The Committee has not yet received the information but expects to receive it in the near future.

6. SIGNIFICANCE OF THE LARGE JAPANESE AND CHINESE PROGRAM IN EARTHQUAKE ENGINEERING RESEARCH

The Committee wonders what the significance is of large foreign programs. Does the United States have access to the findings from this research? Are there strong reasons why the United States should try to maintain parity with or superiority to foreign programs?

Oversight hearings by the Committee to review progress made related to the six concerns mentioned above are possible.

Legislative History

S. 820 was introduced by Senator Gorton and Senator Packwood on March 16, 1983. A hearing was held on March 3, 1983, by the Subcommittee on Science, Technology, and Space. On March 22, 1983, the Committee on Commerce, Science and Transportation considered and ordered to be reported S. 820.

Estimated Costs

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, D.C., March 25, 1983.

Hon. Bob Packwood,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Washington, D.C.

Dear Mr. Chairman: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for S. 820, a bill to amend section 7 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706) to extend authorizations for appropriations, and for other purposes.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

ALICE M. RIVLIN, *Director.*

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

1. Bill number: S. 820.

2. Bill title: A bill to amend section 7 of the Earthquake Hazards Reduction Act of 1977 (42 U.S.C. 7706) to extend authorizations for appropriations, and for other purposes.

3. Bill status: As ordered reported by the Senate Committee on Commerce, Science and Transportation, March 22, 1983.

4. Bill purpose: This bill authorizes the appropriation of specific sums in fiscal years 1984, 1985 and 1986 for programs in four agencies (the Federal Emergency Management Agency, the U.S. Geological Survey, the National Science Foundation, and the National Bureau of Standards).

5. Estimated cost to the Federal Government:

[By fiscal years, in millions of dollars]

	1984	1985	1986	1987	1988
Authorization level	61.0	65.7	70.7		
Estimated outlays	36.2	57.5	67.8	28.8	7.2

The costs of this bill fall within budget functions 250, 300 and 450.

Basis of estimate: For the purposes of this estimate, it was assumed that the funds authorized by the bill are appropriated prior to the start of each fiscal year and that all funds would be obligated and disbursed at rates similar to recent experience at the FEMA and other responsible agencies.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: None.

8. Previous CBO estimate: None.

9. Estimate prepared by: Linwood T. Lloyd.

10. Estimate approved by:

JAMES L. BLUM,
Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation:

The bill provides authorization of appropriations to implement the provisions of the Earthquake Hazards Reduction Act of 1977 for fiscal years 1984–86.

The bill does not regulate private business activity, or any private activity. The Committee concludes, therefore, that the implementation of this bill will have no impact on the personal privacy of any individual business. No records will be required to be kept

by any individual or business, nor will any reports need to be filed as a result of this bill becoming law.

Section-by-Section Analysis

Section 1 authorizes funds for the Federal Emergency Management Agency in fiscal years 1984–86.

Section 2 authorizes funds for the U.S. Geological Survey in fiscal years 1984–86.

Section 3 authorizes funds for the National Science Foundation in fiscal years 1984–86.

Section 4 authorizes funds for the National Bureau of Standards for fiscal years 1984–86.

Changes in Existing Law

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

The Earthquake Hazards Reduction Act of 1977

Section 7 of that Act

SEC. 7. AUTHORIZATION OF APPROPRIATIONS.

(a) General.—(1)-(3) * * *

(4) There are authorized to be appropriated to the Director, to carry out the provisions of sections 5 and 6 of this act, $1,281,000 for the fiscal year ending September 30, 1983[.]; *for the fiscal year ending September 30, 1984, $3,705,000; for the fiscal year ending September 30, 1985, $4,400,000; and for the fiscal year ending September 30, 1986, $5,200,000.*

(b) Geological Survey.—There are authorized to be appropriated to the Secretary of the Interior for purposes of carrying out, through the Director of the United States Geological Survey, the responsibilities that may be assigned to the Director under this act not to exceed $27,500,000 for the fiscal year ending September 30, 1978; not to exceed $35 million for the fiscal year ending September 30, 1979; not to exceed $40 million for the fiscal year ending September 30, 1980; $32,484,000 for the fiscal year ending September 30, 1981; $34,425,000 for the fiscal year ending September 30, 1982; [and] $31,843,000 for the fiscal year ending September 30, 1983*; $29,524,000 for the fiscal year ending September 30, 1984; $31,000,000 for the fiscal year ending September 30, 1985; and, $32,500,000 for the fiscal year ending September 30, 1986.*

(c) National Science Foundation.—To enable the Foundation to carry out responsibilities that may be assigned to it under this act, there are authorized to be appropriated to the Foundation not to exceed $27,500,000 for the fiscal year ending September 30, 1978; not to exceed $35 million for the fiscal year ending September 30, 1979; not to exceed $40 million for the fiscal year ending September 30, 1980; $26,600,000 for the fiscal year ending September 30, 1981; $27,150,000 for the fiscal year ending September 30, 1982;

[and] $25 million for the fiscal year ending September 30, 1983; *$27,300,000 for the fiscal year ending September 30, 1984; $29,800,000 for the fiscal year ending September 30, 1985; and, $32,500,000 for the fiscal year ending September 30, 1986.*

(d) NATIONAL BUREAU OF STANDARDS.—To enable the Bureau to carry out responsibilities that may be assigned to it under this Act, there are authorized to be appropriated $425,000 for the fiscal year ending September 30, 1981; $425,000 for the fiscal year ending September 30, 1982; [and] $475,000 for the fiscal year ending September 30, 1983; *$475,000 for the fiscal year ending September 30, 1984; $500,000 for the fiscal year ending September 30, 1985; and, $530,000 for the fiscal year ending September 30, 1986.*

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Calendar No. 73

98TH CONGRESS
1st Session

SENATE

REPORT
No. 98-43

NATIONAL TRANSPORTATION SAFETY BOARD

MARCH 31, 1983.—Ordered to be printed
Filed under authority of the order of the Senate of MARCH 24 (legislative day, MARCH 21), 1983

Mr. PACKWOOD, from the Committee on Commerce, Science, and Transportation, submitted the following

REPORT

[To accompany S. 967]

The Committee on Commerce, Science, and Transportation, having considered an original bill (S. 967) to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1984, 1985, and 1986, reports favorably thereon and recommends that the bill do pass.

PURPOSE OF BILL

The bill authorizes the National Transportation Safety Board (NTSB) for 3 fiscal years, 1984–86.

BACKGROUND AND SUMMARY

The NTSB was made an independent Federal Agency by statute in 1974. Its duties and responsibilities include the investigation and determination of probable cause of transportation and pipeline accidents, the conduct of special studies and special investigations relating to transportation safety, review, and evaluation of operations and performance of other agencies with regard to their impact on transportation safety, the formulation of recommendations to prevent accidents or minimize resulting harm, and the review on appeal of decisions of the Secretary of Transportation pursuant to the Federal Aviation Act and of the Commandant of the Coast Guard with respect to certificates and licenses.

In recent years, the NTSB has focused primarily on aviation accidents. Highway, railroad, marine and pipeline accidents are also investigated. In the coming years the NTSB will, and is anxious to,

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spend more time on these other areas of transportation safety, particularly highway safety issues, including measures to reduce drunk driving and to require child restraints.

Once the NTSB has completed its investigation of an accident, it makes recommendations to the regulatory agency in charge of the mode. The rate of acceptance of these recommendations by the agencies in 1982 averaged over 80 percent. It should be noted that the Board has no regulatory authority. Rather, it relies solely on its reputation for excellence in accident investigations and its ability to persuade others to accept its safety recommendations.

In fiscal 1982, the level of appropriations for the NTSB was reduced by over 10 percent, from $19.1 million to $17.1 million. This severe cut caused a total manpower reduction of 27 percent, which translates into the loss of 85 full-time employees and the majority of the Board's temporary personnel. Before the year was over, however, it became apparent that an emergency supplemental appropriation was necessary to keep personnel training, equipment repair, purchases and travel expenditures at reasonable levels.

The Committee believes it imperative that the NTSB have adequate funds to ensure that there is sufficient and competent staff. This Committee does not want to see the Board's budget fall to a level which would either reduce the quality of the work or be at a level which would not allow the Board to fulfill its many vital missions.

The Committee has authorized the NTSB for fiscal years 1984–86 at levels which guarantee that if the number of accidents that occur during that time are greater than are not anticipated, or if several major accidents occur at once, the NTSB will be able to respond immediately and responsibility.

Legislative History

The Committee considered the bill in executive session on March 22, 1983 and ordered that it be favorably reported to the Senate.

Estimated Costs

In accordance with paragraph 11(a) of rule XXVI of the Standing Rules of the Senate and section 403 of the Congressional Budget Act of 1974, the Committee provides the following cost estimate, prepared by the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
Washington, D.C., March 25, 1983.

Hon. Bob Packwood,
Chairman, Committee on Commerce, Science, and Transportation, U.S. Senate, Dirksen Senate Office Building, Washington, D.C.

Dear Mr. Chairman: Pursuant to Section 403 of the Congressional Budget Act of 1974, the Congressional Budget Office has prepared the attached cost estimate for a bill to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1984, 1985, and 1986.

Should the Committee so desire, we would be pleased to provide further details on this estimate.

Sincerely,

Alice M. Rivlin, *Director.*

CONGRESSIONAL BUDGET OFFICE—COST ESTIMATE

MARCH 25, 1983.

1. Bill number: Not yet assigned.

2. Bill title: A bill to amend the Independent Safety Board Act of 1974 to authorize appropriations for fiscal years 1984, 1985, and 1986.

3. Bill status: As ordered reported by the Senate Committee on Commerce, Science and Transportation, March 22, 1983.

4. Bill purpose: This bill authorizes appropriations of $22.6 million for fiscal year 1984, $24.5 million for fiscal year 1985, and $26.1 million for fiscal year 1986 for the National Transportation Safety Board (NTSB).

The authorization level for fiscal year 1984 is approximately 13 percent higher than that appropriated to date for 1983 ($22.6 million vs. $20.0 million) and approximately 15 percent ($2.9 million) higher than the President's budget request for 1984.

5. Estimated cost to the Federal Government:

	Millions
Authorization level:	
Fiscal year:	
1984	$22.6
1985	24.5
1986	26.1
1987	-----
1988	-----
Estimated outlays:	
Fiscal year:	
1984	20.3
1985	24.3
1986	25.9
1987	2.7
1988	-----

Including outlays from 1983 and prior years' budget authority enacted to date, total fiscal year 1984 outlays for the NTSB will be $22.3 million, assuming the funding levels contained in this bill.

The costs of this bill fall within budget subfunction 407.

Basis of Estimate: The authorization levels are those stated in the bill. All funds authorized are assumed to be appropriated prior to the beginning of the fiscal year. Outlays for the fiscal years 1983 through 1987 were estimated using recent historical spendout rates of 90 percent the first year and 10 percent the second year.

6. Estimated cost to State and local governments: None.

7. Estimate comparison: The Administration estimates total fiscal year 1984 outlays of $19.8 million assuming an appropriation of $19.74 million.

8. Previous CBO estimate: None.

9. Estimate prepared by: Pat McCann.

10. Estimate approved by:

JAMES L. BLUM,
Assistant Director for Budget Analysis.

REGULATORY IMPACT STATEMENT

In accordance with paragraph 11(b) of rule XXVI of the Standing Rules of the Senate, the Committee provides the following evaluation of the regulatory impact of the legislation:

The bill, as reported, would authorize appropriations for the NTSB for fiscal years 1984 through 1986 without making any changes in the work of the Board. Since the Board does not regulate transportation per se, but rather investigates accidents and then makes safety recommendations for the consideration of those agencies that do regulate transportation, passage of the bill would neither increase nor decrease Federal regulation. Similarly it would have no impact on personal privacy or paperwork requirements.

Changes in Existing Law

In compliance with paragraph 12 of rule XXVI of the Standing Rules of the Senate, changes in existing law made by the bill, as reported, are shown as follows (exisitng law proposed to be omitted is enclosed in black brackets, new material is printed in italic, existing law in which no change is proposed is shown in roman):

INDEPENDENT SAFETY BOARD ACT OF 1974

AUTHORIZATION OF APPROPRIATIONS

Sec. 309. There are authorized to be appropriated for the purposes of this Act not to exceed $12,000,000 for the fiscal year ending June 30, 1975; and $12,000,000 for the fiscal year ending June 30, 1976, such sums to remain available until expended. There are authorized to be appropriated for the purpose of this Act not to exceed $3,800,000 for the transition quarter ending September 30, 1976, $15,200,000 for the fiscal year ending September 30, 1977, and $16,400,000 for the fiscal year ending September 30, 1978, such sums to remain available until expended. There are authorized to be appropriated for the purposes of this Act not to exceed $16,420,000 for the fiscal year ending September 30, 1979, and $17,650,000 for the fiscal year ending September 30, 1980, such sums to remain available until expended. There are authorized to be appropriated for the purposes of this Act not to exceed $18,540,000 for the fiscal year ending September 30, 1981, $19,925,000 for the fiscal year ending September 30, 1982, and $22,100,000 for the fiscal year ending September 30, 1983, such sums to remain available until expended. *There are authorized to be appropriated for the purposes of this Act not to exceed $22,600,000 for the fiscal year ending September 30, 1984, $24,500,000 for the fiscal year ending September 30, 1985, and $26,100,000 for the fiscal year ending September 30, 1986, such sums to remain available until expended.*

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